

No. 2007-74

## AN ACT

SB 648

Authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Ligonier, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, a third class city, Fayette County, to the City of Connellsville; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Allentown Commercial and Industrial Development Authority, or their assigns, certain lands situate in the City of Allentown, Lehigh County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Bensalem Township, certain lands situate in Bensalem Township, Bucks County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania State Employees Credit Union, certain lands situate in Susquehanna Township, Dauphin County.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Conveyance in Ligonier Borough, Westmoreland County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey the following tract of land together with any buildings, structures or improvements thereon, situate in the Borough of Ligonier, Westmoreland County, Pennsylvania. The Department of General Services shall sell the property using, in its discretion, one of the following methods of sale: an invitation for sealed bids or public auction.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 2.86 acres and a building bounded and more particularly described as follows:

ALL THAT CERTAIN tract of land situate in the Borough of Ligonier, Westmoreland County more particularly bounded and described as follows:

BEGINNING at a point in the center line of the Lincoln Highway, where the same intersects with the Southeasterly line of Walnut Street projected; thence North 46 degrees 13 minutes East 39 feet to the right-of-way line of the said Lincoln Highway; thence, continuing along the Southeasterly line of Walnut Street, North 46 degrees 13 minutes East 743.2 feet to a point on the Southwesterly side of a twenty (20) foot alley; thence along same and other lands N/F Ligonier Valley Rail Road Company, South 43 degrees 47 minutes East 190 feet to a point; thence along other lands N/F Ligonier Valley Rail Road Company, South 46 degrees 13 minutes West 493.1 feet to a point;

thence along same, South 69 degrees 3 minutes West 119.3 feet to a point; thence along same, South 77 degrees 14 minutes West 163.6 feet to a point on the right-of-way line of the Lincoln Highway; thence South 77 degrees 14 minutes West 46.5 feet to a point in the center line of the Lincoln Highway; thence along the center line of said Lincoln Highway, North 43 degrees 30 minutes West 35.5 feet to a point, the place of BEGINNING.

CONTAINING 2.86-acres more or less.

BEING the same property conveyed to the Commonwealth of Pennsylvania by the Ligonier Valley Rail Road Company in its deed, dated July 15, 1937, recorded in the Westmoreland County Recorder of Deeds Office in Deed Book Volume 1004, Page 467.

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Land restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law.

(e) Deed of conveyance.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Deposit of proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

## Section 2. Conveyance in City of Connellsville, Fayette County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey, for \$50,000, and under terms and conditions to be established in an agreement of sale with the Department of General Services, the following tract of land together with any buildings, structures or improvements thereon, known as the National Guard Armory, 108 West Washington Avenue, Connellsville, Fayette County, Pennsylvania, to the City of Connellsville, described in subsection (b).

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.26 acres, more or less, known as 108 West Washington Avenue, and more particularly bounded and described as follows:

BEGINNING at the intersection of the northerly line of Washington Avenue with the easterly line of Aetna Street; thence south, eighty-nine (89) degrees fifty-five (55) minutes east, ninety-four (94) feet along said northerly line to the westerly line of an eighteen foot alley; thence at right angles along said

westerly line of said alley north, no (0) degrees five (5) minutes east, one hundred twenty-one (121) feet to the southerly line of another eighteen foot alley; thence at right angles north, eighty-nine (89) degrees fifty-five (55) minutes west, ninety-four (94) feet along said southerly line of said last mentioned eighteen foot alley to said easterly line of Aetna Street; thence at right angles south, no (0) degrees five (5) minutes west, one hundred twenty-one (121) feet along said easterly line of Aetna Street to the place of beginning.

Containing: 0.26-acres, more or less.

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Covenant.—Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Deed of conveyance.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(g) Deposit of proceeds.—The proceeds from the sale of the land and building shall be deposited in the State Treasury Armory Fund.

(h) Disposal.—In the event the conveyance is not executed within six months of the effective date of this act, the Department of General Services may dispose of the property for the Department of Military and Veterans Affairs in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

### Section 3. Conveyance in the City of Allentown, Lehigh County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Allentown Commercial and Industrial Development Authority, or its assigns, a certain tract of land and improvements thereon, being an unused portion of the Allentown State

Hospital, described in subsection (b) under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed under subsection (a) consists of approximately 29.321 acres, more or less, and more particularly bounded and described as follows, subject to an official survey and plan:

All that certain lot or parcel of ground being located in the City of Allentown in Lehigh County, Pennsylvania and being bounded and described as follows:

BEGINNING at a point on the South line of Allen Street, said point being located N 81 degrees 23 minutes 17 seconds E for a distance of 678.83 feet from the Southwest corner of North Quebec Street and said point being the Northwest corner of this described parcel; thence from the place of beginning along the South line of Allen Street and the South line of Oil Process Systems N 81 degrees 23 minutes 17 seconds E for a distance of 531.03 feet to a concrete monument found; thence along the lands of Bruce Loch and James Burkos the following nine (9) courses and distances:

(1) S 43 degrees 13 minutes 28 seconds E - 11.42 feet to a concrete monument found; thence

(2) S 80 degrees 16 minutes 15 seconds W - 54.97 feet to an iron pin found; thence

(3) S 7 degrees 57 minutes 07 seconds W - 61.34 feet to a concrete monument found; thence

(4) S 61 degrees 19 minutes 56 seconds E - 163.09 feet to a concrete monument found; thence

(5) N 68 degrees 57 minutes 39 seconds E - 177.92 feet to a point; thence

(6) N 58 degrees 25 minutes 17 seconds E - 238.88 feet to a concrete monument found; thence

(7) N 23 degrees 18 minutes 43 seconds W - 36.00 feet to a point; thence

(8) N 82 degrees 58 minutes 17 seconds E - 987.97 feet to a concrete monument found; thence

(9) N 82 degrees 59 minutes 59 seconds E - 1.43 feet to a point; thence along Lot No. 1, the residue lands of the Commonwealth of Pennsylvania the following eight (8) courses and distances:

(i) S 6 degrees 55 minutes 39 seconds W - 413.29 feet to a point; thence

(ii) S 76 degrees 19 minutes 04 seconds W - 378.08 feet to a point; thence

(iii) S 72 degrees 56 minutes 55 seconds W - 285.07 feet to a point; thence

(iv) S 43 degrees 48 minutes 06 seconds W - 603.06 feet to a point; thence

(v) S 54 degrees 56 minutes 04 seconds W - 603.06 feet to a point; thence

(vi) N 34 degrees 49 minutes 40 seconds W - 160.00 feet to a point; thence

(vii) N 55 degrees 10 minutes 20 seconds E - 243.03 feet to a point; thence

(viii) N 27 degrees 11 minutes 30 seconds W - 1032.47 feet to the place of beginning.

CONTAINING 29.321 acres, more or less.

(c) Granting and retention of easements.—The Department of General Services is authorized to do all of the following:

(1) Grant and convey to the Allentown Commercial and Industrial Development Authority, or its assigns, any easements for utilities and ingress or egress on residual lands of the Commonwealth of Pennsylvania at Allentown State Hospital necessary to comply with local land development and zoning ordinances.

(2) Reserve and except any easements on the property to be conveyed to the Allentown Commercial and Industrial Development Authority under this section necessary for the efficient operation of Allentown State Hospital.

(d) Easements, servitudes and rights.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Land restriction.—

(1) Any conveyance authorized under this section shall be made under and subject to the following conditions, which shall be contained in the deed of conveyance:

(i) That no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law.

(ii) That the property conveyed shall be used only as commercial or senior residential property or both.

(2) The condition under paragraph (1) shall be covenants running with the land and shall be binding upon the grantee, its successors and assigns. If the grantee, its successors or assigns permits any portion of the property authorized to be conveyed under this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(f) Execution.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(h) Nonconveyance.—If an agreement of sale between the Department of General Services and the Allentown Commercial and Industrial Development Authority is not executed within one year from the effective date of this section, the authority contained under this section shall expire.

Section 4. Conveyance in Bensalem Township, Bucks County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Bensalem Township certain lands, and all improvements thereon, situate in Bensalem Township,

Bucks County, under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed pursuant to section 1 consists of approximately 15 acres, and all improvements thereon, bounded and more particularly described as follows:

BEGINNING at a point at the intersection of New Road and Neshaminy Boulevard in Bensalem Township, Bucks County, Pennsylvania; thence extending from the point of BEGINNING South 61 degrees, 58 minutes West 506.04 feet along Neshaminy Boulevard to a point; thence extending South 61 degrees 35 minutes, 25 seconds East 106.36 feet along Neshaminy Boulevard; thence extending South 52 degrees 45 minutes West 459.03 feet along Neshaminy Boulevard to appoint; thence extending North 28 degrees 38 minutes West 636.67 feet to a point; thence extending North 2 degrees 16 minutes East 228.05 feet to a point along Route 1; thence extending North 34 degrees 30 minutes East 298 feet along the southeast side of U.S. Route 1; thence extending North 29 degrees 38 minutes East 74.07 feet along the southeast side of U.S. Route 1; thence extending North 34 degrees 30 minutes East 50.03 feet along the southeast side of U.S. Route 1 to a point on New Road; thence extending South 53 degrees 5 minutes West 340 feet to a point; thence extending South 52 degrees 29 minutes East 770 feet along New Road to the intersection of Neshaminy Boulevard, the place of BEGINNING.

CONTAINING 15-acres, more or less.

EXCEPTING AND RESERVING all that certain parcel of real estate as required by the Pennsylvania Department of Transportation for a highway improvement project entitled "SR 0001 SEC. 03S: SR 1 Reconstruction and Widening Project Required Area for PA Turnpike Ramp Reconstruction." The property preliminarily determined to be required for this project is shown as "Area Required for New Ramp Construction" on a plan prepared by the Pennsylvania Department of Transportation titled "SR 0001 SEC. 03S: SR 1 Reconstruction and Widening Project Required Area for PA Turnpike Ramp Reconstruction", which is on file with the Department of General Services. The final legal description and acreage of the property to be conveyed, less the property to be excepted and reserved for the Pennsylvania Department of Transportation use, as aforesaid, shall be determined by a Pennsylvania licensed land surveyor prior to conveyance.

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Land use restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be

used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(g) Alternate disposal of property.—In the event that the grantee and the Department of General Services cannot reach a mutually acceptable agreement of sale within 12 months of the effective date of this section, the property may be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

#### Section 5. Conveyance in Susquehanna Township, Dauphin County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Pennsylvania State Employees Credit Union certain lands, and any improvements thereon, situate in Susquehanna Township, Dauphin County for \$2,718,600 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed under subsection (a) consists of approximately 47.28 acres, and any improvements thereon, bounded and more particularly described as follows:

Beginning at a point, said point being located along the southerly right-of-way line of Interstate 81, approximately 355 feet from the centerline of Kohn Road, THE POINT OF BEGINNING; thence progressing South 18 degrees 15 minutes 00 seconds East a distance of 256.84 feet to a point on the western right-of-way line of Kohn Road; thence progressing along said right of way along a curve to the right having a radius of 551.04 feet, an arc length of 201.48 feet, a chord bearing of South 72 degrees 53 minutes 02 seconds West, and a chord distance of 200.36 feet to a point; thence along said right of way along a curve to the right having a radius of 1365.28 feet, an arc length of 130.90 feet, a chord bearing of South 89 degrees 18 minutes 14 seconds West, and a chord distance of 130.84 feet to a point; thence progressing along said right of way North 85 degrees 57 minutes 13 seconds West a distance of 402.09 feet to a point; thence progressing along said right of way North 86 degrees 33 minutes 02 seconds West a distance of 123.91 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 316.50 feet, an arc length of 92.88 feet, a chord

bearing of South 85 degrees 02 minutes 33 seconds West, and a chord distance of 92.55 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 155.68 feet, an arc length of 214.47 feet, a chord bearing of South 37 degrees 10 minutes 05 seconds West, and a chord distance of 197.91 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 2381.50, an arc length of 230.54 feet, a chord bearing of South 05 degrees 04 minutes 21 seconds East, and a chord distance of 230.45 feet to a point; thence progressing along said right of way South 07 degrees 50 minutes 44 seconds East a distance of 255.94 feet to a point; thence progressing along said right of way South 07 degrees 56 minutes 18 seconds East a distance of 105.02 feet to a point; thence progressing along said right of way South 09 degrees 38 minutes 55 seconds East a distance of 94.05 feet to a point; thence progressing along said right of way South 13 degrees 31 minutes 27 seconds East a distance of 96.77 feet to a point; thence progressing along said right of way South 13 degrees 16 minutes 31 seconds East a distance of 138.40 feet to a point; thence progressing along said right of way South 13 degrees 42 minutes 07 seconds East a distance of 41.97 feet to a point; thence leaving the right of way of Kohn Road and progressing South 82 degrees 38 minutes 10 seconds West a distance of 1,158.49 feet to a point; thence progressing North 07 degrees 21 minutes 50 seconds West a distance of 1,661.98 feet to a point along the southerly right of way of Interstate 81; thence progressing along said right of way South 85 degrees 54 minutes 11 seconds East a distance of 1,511.03 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 3939.83, an arc length of 445.14 feet, a chord bearing of South 85 degrees 54 minutes 11 seconds East, and a chord distance of 444.90 feet to a point; thence progressing along said right of way North 00 degrees 51 minutes 37 seconds East a distance of 20.00 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 3919.83 feet, an arc length of 239.27 feet, a chord bearing of North 89 degrees 06 minutes 42 seconds East, and a chord distance of 239.23 feet to a point, THE POINT OF BEGINNING.

CONTAINING 47.28 Acres.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Restrictions.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility as defined under 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the



grantee, its successors and assigns. If the grantee, its successors or assigns, permits any portion of the property authorized to be conveyed under this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Special warranty deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(g) Proceeds.—The Department of General Services shall utilize the proceeds from the conveyance to reimburse itself for costs or fees it incurred as a result of this conveyance. Any funds remaining after reimbursement to the Department of General Services shall be deposited into the Agricultural Farm Operations Account established under the act of June 18, 1982 (P.L.549, No.159), entitled “An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture.”

(h) Alternate disposal.—If the grantee and the Department of General Services cannot reach a mutually acceptable agreement of sale within 12 months of the effective date of this section, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 18th day of December, A.D. 2007.

EDWARD G. RENDELL